

STATEMENT OF BASIS (AI No. 18145)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0102474 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: McKinney Harbor Towing, Inc.
Post Office Box 3869
Baton Rouge, Louisiana 70821

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Michelle Bickham

DATE PREPARED: July 2, 2009

1. PERMIT STATUS**A. Reason For Permit Action:**

Permit reissuance of an Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. LPDES permits – LA0102474
LPDES permit effective date: March 1, 2004
LPDES permit expiration date: February 28, 2009

C. Date Application Received: February 25, 2009

2. FACILITY INFORMATION**A. FACILITY TYPE/ACTIVITY - barge and towboat fleeting facility**

McKinney Harbor Towing, Inc. is an existing barge and towboat fleeting facility. The company has been located at the site since 1988. The facility currently discharges sanitary wastewater and ballast water. Outfall 003 which was for the discharge of oily bilge water is being removed from the permit as this outfall no longer exists. (This outfall will now be designated for the discharge of facility ballast, dry dock ballast water, and void water) The incoming ballast water and void water outfall is being left in the permit at the request of the facility.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: I
3. Wastewater Type: II
4. SIC code: 4499

C. LOCATION - 2500 River Road, Baton Rouge, East Baton Rouge Parish
Latitude 30° 25' 26", Longitude 91° 11' 43"

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3. OUTFALL INFORMATION

Outfall 001

Discharge Type: treated sanitary wastewater
Treatment: sewage treatment plant with chlorination
Location: at the point of discharge from the sewage treatment plant
Flow: 100 gpd
Discharge Route: Mississippi River

Outfall 002

Discharge Type: incoming ballast water and void water
Treatment: none
Location: at the point of discharge from the vessel
Flow: intermittent
Discharge Route: Mississippi River

Outfall 003

Discharge Type: facility ballast water, dry dock ballast water, and void water
Treatment: none
Location: at the point of discharge from the vessel/dry dock
Flow: intermittent
Discharge Route: Mississippi River

4. RECEIVING WATERS

STREAM - Mississippi River

BASIN AND SEGMENT - Mississippi River Basin, Segment 070301

DESIGNATED USES -

- a. primary contact recreation
- b. secondary contact recreation
- c. propagation of fish and wildlife
- d. drinking water supply

5. TMDL STATUS

The discharges from McKinney Harbor Towing, Inc. are to the Mississippi River, Subsegment 070301 of the Mississippi River Basin. Subsegment 070301 is not listed on LDEQ's Final 2006 303(d) List as impaired, and to date no TMDL's have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

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6. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.

Changes from previous permit:

- Outfall 02A has been renamed Outfall 002.
- The discharge of oily bilge water (formerly Outfall 003) has been removed from the permit.
- Outfall 002B has been renamed Outfall 003. The description has also been changed from "ballast water and/or void tank water from spar barges" to "facility ballast water, dry dock ballast water, and void water".

7. COMPLIANCE HISTORY/COMMENTS

There were no recent inspections at the facility.

A review of the DMR's for the last two years (3/07-3/09) revealed that all DMR's were submitted in accordance with the existing permit. Only one excursion was found as follows:

Date	Parameter	Outfall	Reported Value	Permit Limits
6/07	TSS	001	49 mg/L	45 mg/L

8. EXISTING EFFLUENT LIMITS

Outfall 001 – treated sanitary wastewater

Parameter	LPDES	
	Monthly Average	Weekly Average
Flow	Report 1/6 months Est.	Report 1/6 months Est.
BOD ₅	---	45 mg/L 1/6 months Grab
TSS	---	45 mg/L 1/6 months Grab
Fecal Coliform	---	400 col./100mL 1/6 months Grab
pH	6.0-9.0 s.u. 1/6 months Grab	

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Outfall 002A – ballast water and/or void tank water from customer barges

Parameter	LPDES	
	Monthly Average	Daily Maximum
Flow	Report 1/week Est.	Report 1/week Est.
Oil & Grease	---	15 mg/L 1/week Grab
COD	---	250 mg/L 1/week Grab
pH	6.0-9.0 s.u. 1/week Grab	

Outfall 002B – maintenance ballast water and/or void tank water from spar barges*

Parameter	LPDES	
	Monthly Average	Daily Maximum
Flow	Report 1/month Est.	Report 1/month Est.
Oil & Grease	---	15 mg/L 1/month Grab
COD	---	250 mg/L 1/month Grab
pH	6.0-9.0 s.u. 1/month Grab	

*Sampling only required if a visible sheen is present.

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Outfall 003 – oily bilge water

Parameter	LPDES	
	Monthly Average	Daily Maximum
Flow	Report 1/week Est.	Report 1/week Est.
COD	200 mg/L 1/week Grab	300 mg/L 1/week Grab
Oil & Grease	---	15 mg/L 1/week Grab
pH	6.0-9.0 s.u. 1/week Grab	

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon, which is listed as an endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated November 17, 2008 from Rieck (FWS) to Nolan (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit

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decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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Rationale for McKinney Harbor Towing, Inc.

1. Outfall 001: treated sanitary wastewater

Pollutant	Limitation		Reference
	Monthly Avg	Daily Max	
	mg/L		
Flow	---	Report	
BOD ₅	30	45	BPJ; LAG530000 and similar discharges
TSS	30	45	BPJ; LAG530000 and similar discharges
Fecal Coliform colonies/100ml	200	400	BPJ; LAG530000 and similar discharges
pH, s.u.	6.0 (min)	9.0 (max)	BPJ; LAG530000 and similar discharges

Treatment: sewage treatment plant with chlorination

Monitoring Frequency: 1/6 months for all parameters at the point of discharge from the sewage treatment plant prior to mixing with waters of the state.

Limits Justification: BPJ; per the Class I Sanitary Discharge General Permit (LAG530000), Schedule B, Treated Sanitary Wastewater less than 5000 GPD, the current permit, and similar discharges.

2. Outfall 002: incoming ballast and void water

Pollutant	Limitation		Reference
	Monthly Avg	Daily Max	
	mg/L		
Flow	Report	Report	
COD	---	250	Similar discharges (BPJ)
Oil & Grease	---	15	Similar discharges (BPJ)
pH, s.u.	6.0 (min)	9.0 (max)	Similar discharges (BPJ)

Treatment: none

Monitoring Frequency: Flow, COD, Oil & Grease and pH shall be observed once per week at the point of discharge from the vessel.

Limits Justification: Limits and Monitoring Frequency are based on current guidance for similar discharges from other industrial facilities.

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3. **Outfall 003:** facility ballast water, dry dock ballast water, and void water*

Pollutant	Limitation		Reference
	Monthly/Avg	Daily/Max	
	mg/L		
Flow	Report	Report	
COD	---	250	Similar discharges (BPJ)
Oil & Grease	---	15	Similar discharges (BPJ)
Visible Sheen	---	No Presence	Similar discharges (BPJ)
pH, s.u.	6.0 (min)	9.0 (max)	Similar discharges (BPJ)

Treatment: none

Monitoring Frequency: Visible Sheen shall be observed once per day; Flow, COD, Oil & Grease and pH shall be observed once per event at the point of discharge from the vessel/dry dock.

Limits Justification: Limits and Monitoring Frequency are based on current guidance for similar discharges from other industrial facilities.

*Discharge shall be sampled whenever there is a presence of a visible sheen.

s.u. Standard Units

BPJ Best Professional Judgment

Storm Water Pollution Prevention Plan (SWP3) Requirement

As per LAC33:IX.2511.B.14.k, stormwater discharges from facilities classified as SIC Codes 4499 are considered to be associated with industrial activities and accordingly require SWP3 requirements. However, an SWP3 is not included in the permit because the facility is a water related operation only. Barge BMPs are comparable to the SWP3 requirements; therefore, the barge BMPs will be applied instead.